

the vessel embarks on a voyage of more than 24 hours or when each new master or operator assumes command:

(1) *Steering-systems.* A test of the steering-gear-control system; a test of the main steering gear from the alternative power supply, if installed; a verification of the rudder-angle indicator relative to the actual position of the rudder; and a visual inspection of the steering gear and its linkage.

(2) *Navigational equipment.* A test of all installed navigational equipment.

(3) *Communications.* Operation of all internal vessel control communications and vessel-control alarms, if installed.

(4) *Lights.* Operation of all navigational lights and all searchlights.

(5) *Terminal gear.* Visual inspection of tackle; of connections of bridle and towing pendant, if applicable; of chafing gear; and of the winch brake, if installed.

(6) *Propulsion systems.* Visual inspection of the spaces for main propulsion machinery, of machinery, and of devices for monitoring machinery.

(b) The owner, master, or operator of each towing vessel of 1,600 GT or more shall ensure that the following tests of equipment occur at the frequency required by § 164.25 and that the following inspections of gear occur before the vessel embarks on a voyage of more than 24 hours or when each new master or operator assumes command:

(1) *Navigational equipment.* Tests of onboard equipment as required by § 164.25.

(2) *Terminal gear.* Visual inspection of tackle; of connections of bridle and towing pendant, if applicable; of chafing gear; and of the winch brake, if installed.

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§ 164.82 Maintenance, failure, and reporting.

(a) *Maintenance.* The owner, master, or operator of each towing vessel shall maintain operative the navigational-safety equipment required by § 164.72.

(b) *Failure.* If any of the navigational-safety equipment required by § 164.72 fails during a voyage, the owner, master, or operator of the towing vessel shall exercise due diligence to repair it at the earliest practicable time. He or

she shall enter its failure in the log or other record carried on board. The failure of equipment, in itself, does not constitute a violation of this rule; nor does it constitute unseaworthiness; nor does it obligate an owner, master, or operator to moor or anchor the vessel. However, the owner, master, or operator shall consider the state of the equipment—along with such factors as weather, visibility, traffic, and the dictates of good seamanship—in deciding whether it is safe for the vessel to proceed.

(c) *Reporting.* The owner, master, or operator of each towing vessel whose equipment is inoperative or otherwise impaired while the vessel is operating within a Vessel Traffic Service (VTS) Area shall report the fact as required by 33 CFR 161.124. (33 CFR 161.124 requires that each user of a VTS report to the Vessel Traffic Center as soon as practicable:

(1) Any absence or malfunction of vessel-operating equipment for navigational safety, such as propulsion machinery, steering gear, radar, gyro-compass, echo depth-sounding or other sounding device, automatic dependent surveillance equipment, or navigational lighting;

(2) Any condition on board the vessel likely to impair navigation, such as shortage of personnel or lack of current nautical charts or maps, or publications; and

(3) Any characteristics of the vessel that affect or restrict the maneuverability of the vessel, such as arrangement of cargo, trim, loaded condition, under-keel clearance, and speed.)

(d) *Deviation and authorization.* The owner, master, or operator of each towing vessel unable to repair within 96 hours an inoperative marine radar required by § 164.72(a) shall so notify the Captain of the Port (COTP) and shall seek from the COTP both a deviation from the requirements of this section and an authorization for continued operation in the area to be transited. Failure of redundant navigational-safety equipment, including but not limited to failure of one of two installed radars, where each satisfies § 164.72(a), does not necessitate either a deviation or an authorization.

(1) The initial notice and request for a deviation and an authorization may be spoken, but the request must also be written. The written request must explain why immediate repair is impracticable, and state when and by whom the repair will be made.

(2) The COTP, upon receiving even a spoken request, may grant a deviation and an authorization from any of the provisions of §§164.70 through 164.82 for a specified time if he or she decides that they would not impair the safe navigation of the vessel under anticipated conditions.

[CGD 94-020, 61 FR 35075, July 3, 1996]

PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

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Subpart F—Specific Regulated Navigation Areas and Limited Access Areas

FIRST COAST GUARD DISTRICT

- 165.101 Kittery, Maine—regulated navigation area.
- 165.102 Security Zone: Walkers Point, Kennebunkport, ME.
- 165.103 Safety Zone: Portsmouth Harbor, Portsmouth, New Hampshire.
- 165.110 Boston Harbor, Boston, Massachusetts.
- 165.111 Safety Zone: Boston Harbor, Boston, Massachusetts.

- 165.112 Safety Zone: USS CASSIN YOUNG, Boston, Massachusetts.
- 165.120 Safety Zone: Chelsea River, Boston Inner Harbor, Boston, MA.
- 165.121 Safety Zone: Rhode Island Sound, Narragansett Bay, Providence River.
- 165.122 Providence River, Providence, R.I. regulated navigation area.
- 165.130 Sandy Hook Bay, New Jersey—security zone.
- 165.140 New London Harbor, Connecticut—security zone.
- 165.141 Safety Zone: Sunken vessel Empire Knight, Boon Island, ME.
- 165.150 New Haven Harbor, Quinnipiac River, Mill River.
- 165.155 Northville Industries Offshore Platform, Riverhead, Long Island, New York—safety zone.
- 165.160 New York, New Jersey, Sandy Hook Channel, Raritan Bay, Arthur Kill—safety zone.
- 165.161 Safety Zone; Annual “Fireworks on the Navesink” Fireworks Display, Navesink River, Red Bank, New Jersey.
- 165.165 Kill Van Kull, New York and New Jersey—regulated navigation area.
- 165.166 Safety Zone; Annual Burlington Independence Day Celebration Fireworks Display, Burlington Bay, Vermont.
- 165.167 Safety Zone; Annual Rensselaer Festival Fireworks Display, Hudson River, New York.
- 165.170 Safety Zone; Heritage of Pride Fireworks Display, Hudson River, New York.
- 165.174 Safety Zone; Annual South Street Seaport New Year’s Eve Fireworks Display, East River, New York.
- 165.175 Safety Zone; Annual South Street Seaport Memorial Day Fireworks Display, East River, New York.
- 165.178 Safety Zone; Annual North Hempstead Memorial Day Fireworks Display, Hempstead Harbor, New York.

FIFTH COAST GUARD DISTRICT

- 165.501 Chesapeake Bay Entrance and Hampton Roads, Va. and adjacent waters—regulated navigation area.
- 165.502 Cove Point, Chesapeake Bay, Maryland—safety zone.
- 165.503 Chesapeake Bay ice navigation season.
- 165.504 Newport News Shipbuilding and Dry Dock Company Shipyard, James River, Newport News, Va.
- 165.510 Delaware Bay and River—regulated navigation area.
- 165.515 Safety Zone: Cape Fear River, Wilmington, North Carolina.
- 165.530 Safety Zone: Cape Fear and Northeast Cape Fear Rivers, NC.